

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**BERNICE NEWMAN,**

**Plaintiff,**

**v.**

**Civil Action No. 2:11-CV-02765**

**DEUTSCHE BANK NATIONAL TRUST  
COMPANY, F/K/A BANKERS TRUST  
COMPANY OF CALIFORNIA, N.A., AS  
TRUSTEE FOR THE BENEFIT OF THE  
CERTIFICATE HOLDERS OF THE  
AAMES MORTGAGE TRUST,  
MORTGAGE PASS THROUGH  
CERTIFICATES, SERIES 2001-1; BANK  
OF AMERICA, N.A.; NATIONWIDE  
TRUSTEE SERVICES, INC. and WILSON  
& ASSOCIATES, P.L.L.C.,**

**Defendants.**

**AGREED ORDER RESCINDING TRUSTEE'S SALE AND SETTING ASIDE  
TRUSTEE'S DEED; REVIVING AND REINSTATING THE ORIGINAL DEED OF  
TRUST AND DISMISSAL OF CASE WITH PREJUDICE**

Counsel for the all of the Parties to this action, as evidenced by their signatures below,  
respectfully submit the following agreement:

1. The Trustee's Sale conducted on May 19, 2011, by Nationwide Trustee Services, Inc., Successor Trustee, is rescinded in its entirety as to the following real property in Shelby County, Tennessee:

Lot 140, Section D, Kenrick Subdivision, of record in Plat Book 35, page 30, of the Register's Office of Shelby County, Tennessee, to which reference is here made for a more particular description thereof.

Being the same property conveyed to Bernice Newman by Deed recorded December 16, 1971 as Document No. G6 0461, in the Register's Office for Shelby County, Tennessee.

Commonly known as: 4448 Whiteside Street, Memphis, Tennessee 38109.

Tax Parcel No. 076-0500-0-00011-0.

2. The Trustee's Deed dated May 19, 2011, and being recorded as Instrument No. 11057101 in the Register's Office for Shelby County, Tennessee, is set aside and is of no force or effect.

3. This Order shall be filed for record in the Register's Office for Shelby County, Tennessee upon the Order becoming final thirty (30) days from entry by this Court.

4. The Parties agree that this Order revives and reinstates the Original Deed of Trust executed by Bernice Newman on January 17, 2001, of record as Instrument No. KU6567 in the Register's Office for Shelby County, Tennessee (the "Deed of Trust"), and thereby fully reinstates the terms and conditions of the Deed of Trust and the promissory note secured by the Deed of Trust as originally contemplated, agreed upon, and entered into by Newman on said date, with the exception of any loan modification agreement the Parties have agreed to and have executed or will execute. Newman expressly agrees that she shall make her mortgage payments as set forth in the loan documents.

5. All parties stipulate that the individuals affixing their names to this Order are doing so in their representative capacities for their respective clients and are fully authorized by said clients to bind them by signing and executing this agreement and that with the entry of this Agreed Order this action shall be dismissed with prejudice.

**ENTERED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

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S. THOMAS ANDERSON  
UNITED STATES JUDGE

APPROVED FOR ENTRY:

/s/ Steven E. Barlow

Webb A. Brewer

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